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C O N F I D E N T I A L SECTION 01 OF 03 ABU DHABI 003616

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STATE FOR G/TIP, INL, DRL, AND NEA/ARP

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TAGS: [PREL](#) [PHUM](#) [KCRM](#) [AE](#)

SUBJECT: UAEG MAKING PROGRESS ON TIP ACTION PLAN, BUT DOES  
NOT FULLY GRASP THE ISSUES

Classified By: AMBASSADOR MICHELE J. SISON, REASONS 1.4 (B) AND (D).

11. (C) Summary: On September 5, Ambassador and G/TIP Senior Coordinator Mark Taylor, called on Minister of Justice Mohammed bin Nakhira Al-Daheri and Minister of Interior Sheikh Saif bin Zayed Al-Nahyan. In separate meetings, the ministers stated that a new, comprehensive anti-trafficking law based on the UN anti-trafficking protocol, as well as the UAE's ratification of the protocol itself, will be passed in the next few months. Al-Daheri described public outreach efforts that his ministry is making, and explained the problem of providing statistics to support G/TIP reporting, stating that the statistics simply don't exist in the form that they are requested. Sheikh Saif offered that many of the problems that G/TIP defines as trafficking are treated by the UAEG as labor issues and are therefore not found within the criminal case files of the Ministries of Interior and Justice, but may be grouped with labor files at the Ministry of Labor.

12. (C) Summary cont.: The UAEG admits that it has difficulty in identifying trafficking victims, but doesn't perceive there to be a significant trafficking in persons problem in the UAE. Both ministers claimed that victims need to assume more responsibility in reporting problems to the police. Officials state that the UAEG remains committed to countering trafficking issues both in the UAE as well as in source-countries, and in order to meet these goals they would like to pursue training opportunities with the USG. Both meetings were attended by Jamal Al-Suweidi, Director of the Emirates Center for Strategic Studies and Research (ECSSR) and Kristiina Kangaspunta, Program Officer at the Anti-Human Trafficking Unit of the UN Office of Drugs and Crime (UNODC) in conjunction with the planning of a UN Anti-Trafficking conference to be hosted by the UAE in March 2007. End Summary.

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UAEG Progress on TIP Action Plan  
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13. (C) Al-Daheri stated that a new anti-trafficking law based on UN conventions and protocols has been drafted and should appear before the UAE Council of Ministers as soon as it reconvenes this fall. He also forecasted the near-term UAEG ratification of the UN "Palermo" Protocol on Trafficking in Persons, which will underpin the March 2007 international conference on TIP in Abu Dhabi. He further stated that if the law is approved prior to the November GCC meetings, the UAE will present its anti-trafficking law as a model law for the GCC. Sheikh Saif confirmed that he expects to see the new law on the agenda within the first couple of Council of Minister sessions this fall. Al-Daheri said that the new law fully reflects the UN Anti-Trafficking Protocol, and includes severe penalties for perpetrators of human trafficking, including any person who is complicit in the crime. He stated that penalties should range from seven to 15 years in prison for each offense. (Note: Post has not seen a copy of

the draft law and cannot confirm that the law criminalizes all forms of trafficking as defined by G/TIP. End note.)

14. (C) Minister Al-Daheri stated that the Ministry of Justice has made it a priority to address the problems of trafficking in persons and the treatment of foreign laborers. As one step, the Department of Islamic Affairs (under the authority of Minister Al-Daheri) has issued guidance for a Friday sermon addressing the treatment of laborers. In an April sermon script the Ministry wrote "Justice requires that we give them (laborers) their wages. . . . It is forbidden to have laborers work more than they can. We are not allowed to tire and exhaust them. . . Employers must not be unjust and not grant laborers their rights." Al-Daheri said that he has already made arrangements for speeches to be given during Ramadan on the treatment of laborers, and that MoJ will sponsor a meeting during Ramadan, inviting Ministry of Labor officials and major employers. (Note: On September 10, Amb. spoke briefly with Minister of Labor Ali Al-Kaabi and relayed the discussions G/TIP had with the other ministers. End note.)

15. (C) Sheikh Saif stated that the UAEG continues to work with repatriated camel jockeys, visiting them in their home countries to ensure that they are receiving the care and assistance promised them, stating "we want to make sure the job is done properly." Taylor noted that victim protection is an important element of addressing trafficking, and expressed hope for a permanent shelter to open soon in the UAE. Sheikh Saif explained that the Ministry of Interior has a network of Social Support Centers that were used in assisting the (completed) repatriation of camel jockeys, and continue to be used in addressing many other social problems (mostly family violence and domestic abuse victims). He promised to keep the shelters open in case additional jockeys

ABU DHABI 00003616 002 OF 003

are found, and stated that he will look into the possibility of adapting them to assist other trafficking victims as well.

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Problems Identifying Victims,  
Open Borders a Problem  
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16. (C) Both ministers commented on the difficulties the UAEG faces in identifying trafficking victims. Sheikh Saif described the UAE as "the easiest country in the world to travel to, making it a real problem for screening every passenger." Noting that the UAE is at "the cross-roads" of transportation and tourism for the Middle East, South Asia, Africa, and Europe, he stated that the UAEG realizes that trafficking is "a global problem" and that the UAEG is committed to "working hard to address this problem both at home as well as in the source countries abroad." Al-Daheri stated that while identifying victims is difficult in any situation, it is even more so in the UAE. Explaining that the UAEG allows citizens from forty different countries to enter the UAE without a visa, he stated, "In this regard, we have one of the most open borders in the world. With the enormous flood of visitors that enter through our ports each year, it is very difficult to screen them all." Taylor offered that case-building and victim identification should be a focus of the upcoming TIP conference.

17. (C) Ambassador requested that the UAEG be more proactive in providing trafficking-related statistics, in order that the TIP report might more accurately portray the trafficking situation in the UAE. Al-Daheri responded that he and his ministry are willing to provide any and all information that they have available to the USG, but that any failure to do so is "likely because we don't have that information." Responding to the apparent dearth of trafficking arrests and prosecutions, Sheikh Saif stated that "We will pursue any case we have to its fullest--but we have to find the cases first. We can't start a case without first identifying a victim."

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Trafficking Problem, What Problem?  
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¶8. (C) Stating that the UAEG has been working hard to address trafficking issues, and has established an anti-trafficking course in the police college, Sheikh Saif noted that authorities have been unable to identify a trafficking problem in the UAE. "Despite the additional training and focus on trafficking, we (MoI) have only been able to identify five or six cases of trafficking to the UAE," he said, "and even then, the victims didn't come forward." Saif concluded, "the UAE doesn't have a significant trafficking problem. . .the problems you are talking about are generally not for the police, they are primarily labor problems, and are dealt with by the Ministry of Labor."

¶9. (C) Al-Daheri defended the UAEG's failure to identify victims noting that "victims need to assume some responsibility" in the prevention and prosecution of trafficking. "Especially in the areas of manual and domestic laborer abuse, authorities can only act on the information that they have. We cannot very well go door-to-door looking for victims." He added that source-country officials need to take a more proactive role in educating their populations before they travel, and notifying the UAEG of crime networks and problems as they become aware of them, as well as educating their own citizens. "I can't make all the thousands of people that come here each day read all the laws, they need to take some responsibility for themselves and their rights," he concluded.

¶10. (C) Taylor pointed out that complaint-based systems are not sufficient to identify victims, and that officials of source-country embassies in the UAE had expressed to him a desire for a clear, single point-of-contact in the UAEG. Sheikh Saif responded that the UAEG is working on an agreement that lays out domestic workers, rights and may solve many of the labor related problems that source-country embassies complain about. He added, "We don't see any big problem with trafficking laborers or employees. We have asked repeatedly for cases to illustrate the problem so that we can identify a solution, but no one has been able to show us a problem. Please show and identify the problem to us."

¶11. (C) Taylor pressed for prevention and protection programs, suggesting establishment of a hotline, public relations programs, flyers in languages of the potential victims, and the need for a shelter. He added that it would be useful to add protections for domestic servants by including them under the labor law. Al-Daheri stated that

ABU DHABI 00003616 003 OF 003

the labor law is "currently undergoing significant changes. When it is finally passed, I think that you will find many of your concerns addressed."

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UAEG Eager for TIP Training Opportunities  
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¶12. (C) Inquiring as to how the USG identifies trafficking victims in the U.S., Sheikh Saif asked if MoI could send a group of officials from the MoI Social Support Center to the U.S. for training in order to see how USG agencies deal with the issue. Al-Suweidi added that the Ministries of Labor and Justice officials should accompany the Interior team for training, a proposal to which Sheikh Saif readily agreed.

¶13. (C) At the MoJ meeting, Taylor pointed out that there is no dedicated anti-trafficking unit or set procedures to identify trafficking victims among those arrested for vice. Al-Daheri stated that the UAEG is planning a comprehensive training program for judges, police officers, and all those that deal with trafficking victims. He stated that "When the new trafficking law is passed, there will be an accompanying training regime introduced to ensure that officials at all levels are aware of the new law and its provisions." He then

stated that MoJ would welcome USDOJ training, and noted that the Minister of Justice from Afghanistan was recently in the UAE and had noted interest in training from either the USG or UNODC.

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Other Issues  
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¶14. (C) Noting that the UAE and USG "have enjoyed outstanding judicial cooperation in the past, cooperating on several issues even without a formal agreement, MoJ Under Secretary Abdul Rahim Al-Awadi took the opportunity to mention that the Mutual Legal Assistance Treaty (MLAT) negotiations have been going on for some time, and that the UAEG is still awaiting a USG response so that those talks may continue.

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Comment  
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¶15. (C) It is frequently evident in meetings with UAE law enforcement officials that many do not understand "human trafficking" as it is defined by either the USG or the UN. Sheikh Saif spoke of human trafficking in the same manner as drug trafficking, illustrating a common perception that if it is not the direct selling of a human being as a slave, then it is not human trafficking, but merely a labor issue. Post will coordinate with G/TIP to identify and establish training programs for one or more teams from the Ministries of Justice, Labor, and Interior. End comment.  
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